

IN THE CIRCUIT COURT OF JACKSON COUNTY, MISSOURI  
AT KANSAS CITY

SUSAN G. HURT  
Address  
City, State, Zip

Plaintiff,

v.

JOHN DOE  
Address  
City, State, ZIP

And

KEVIN DOE  
Address  
City, State, ZIP

Defendants.

Case No. \_\_\_\_

Division \_\_\_\_

**PETITION FOR APPROVAL AND APPORTIONMENT OF WRONGFUL  
DEATH PROCEEDINGS**

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COMES NOW Plaintiff, pursuant to §537.080 et seq. RSMo. and asks this Court for an Order approving and apportioning wrongful death settlement proceeds of \$\$\$\$\$\$ for the alleged wrongful death of her mother, Mother G. Hurt. Plaintiff states the following:

1. Mother G. Hurt suffered fatal injuries in an automobile accident occurring on “Month, Date, Year,” when a motorcycle owned by John Doe and operated by Kevin Doe, with Mother G. Hurt as a passenger, was traveling northbound on Highway XYZ, in Myrtle Beach, South Carolina, and lost control and struck a vehicle operated by Desiree Driver.

2. Defendant John Doe, through Insurance Company ABC, has offered the sum of \$\$\$\$\$\$ in full and final settlement of all claims that Plaintiff claims for the wrongful

death of Mother G. Hurt and Plaintiff has agreed to accept said offer in satisfaction of the claim against John Doe, although the alleged liability of the Defendant is expressly denied.

3. The Estate of Defendant Kevin Doe, through Insurance Company XYZ, has offered the sum of \$\$\$\$\$\$ in full and final settlement of all claims that Plaintiff claims for the wrongful death of Mother G. Hurt and Plaintiff has agreed to accept said offer in satisfaction of the claim against Kevin Doe, although the alleged liability of the Defendant is expressly denied.

4. Father G. Hurt is the surviving husband of Mother G. Hurt and Son and Susan G. Hurt are her only surviving children.

5. The accident happened in South Carolina and South Carolina tort law applies. Under South Carolina Code Section 15-51-20, Plaintiff, Susan G. Hurt, is entitled to bring an action against the Defendants.

6. Plaintiff, Susan G. Hurt states that the amount of \$\$\$\$\$\$ to be received from the Defendants is a fair and reasonable sum for the wrongful death of her mother, taking into consideration the expense, delay, and uncertainty of trial.

7. The Plaintiff requests leave to waive a jury trial and to submit all issues of the proposed settlement to the Court for determination.

WHEREFORE, Plaintiff's Daughter, prays this Court for Judgment against John Doe in the amount of \$\$\$\$\$\$ and against Defendant Kevin Doe in the amount of \$\$\$\$\$\$, and for such other relief as is set forth below:

- a. That the \$\$\$\$\$\$ in settlement funds from Defendant Kevin Doe's Insurance Company XYZ insurance policy are to be distributed as follows:
  - i. \$\$\$\$\$\$ to the mother of the decedent, who paid the funeral bill in that amount at Funeral Home;

- ii. \$\$\$\$\$\$ to The Law Office of Jared A. Rose for attorneys' fees and expenses;
  - iii. \$\$\$\$\$\$ to Susan G. Hurt; and
  - iv. \$\$\$\$\$\$ to The Estate of Son, in care of the Jackson County Public Administrator.
- b. That the \$\$\$\$\$\$ in settlement funds from Defendant John Doe's Insurance Company ABC insurance policy are to be distributed as follows:
  - i. \$\$\$\$\$\$ to The Law Office of Jared A. Rose for attorneys' fees and expenses;
  - ii. \$\$\$\$\$\$ to Susan G. Hurt;
  - iii. \$\$\$\$\$\$ to The Estate of Son, in care of the Jackson County Public Administrator; and
  - iv. \$\$\$\$\$\$ to Cemetery, for use on a plot and a headstone.
- c. Plaintiff shall execute a Release binding on the parties and discharging John Doe, Kevin Doe, Insurance Company ABC, and Insurance Company XYZ from any and all claims and causes of action for the alleged wrongful death of decedent, Mother G. Hurt.
- d. That the proceeds are to be distributed as determined by the Court following the filing of a Receipt by Plaintiff for the money received.
- e. That Plaintiff is to acknowledge satisfaction of said Judgment and to deduct and pay any expenses of recovery and collection of the judgment.
- f. Plaintiff shall report and account therefore to the Court.
- g. That court costs be assessed against Defendants.
- h. For such other orders and decrees as the Court may deem proper.

Respectfully submitted,

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